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MAILED
DEC 21 2010
OFFICE OF PETITIONS

In re Patent No. 7,664,601
Issued: February 16, 2010
Application No. 10/823,951
Filed: April 13, 2004
Attorney Docket No. 543-99-036
(HOOO-I-1126)

: DECISION ON REQUEST
: FOR RECONSIDERATION
: OF PATENT TERM ADJUSTMENT
: AND
: NOTICE OF INTENT TO ISSUE
: CERTIFICATE OF CORRECTION

This is a decision on the "APPLICATION FOR PATENT TERM ADJUSTMENT" filed October 18, 2010, requesting that the patent term adjustment determination for the above-identified patent be changed from 449 days to 1379 days.

The petition to correct the patent term adjustment indicated on the above-identified patent to indicate that the term of the above-identified patent is extended or adjusted by one thousand three hundred seventy-nine (1379) days is **GRANTED**.

The Office acknowledges submission of the \$200.00 fee set forth in 37 CFR 1.18(e). No additional fees are required.

On August 11, 2010, patentee filed a Request for Recalculation of Patent Term Adjustment in View of Wyeth. On September 16, 2010, the Office mailed a decision granting the petition under 37 CFR 1.705(d) to the extent that a certificate of correction would be issued indicating that the term of the patent was extended or adjusted by 449 days.

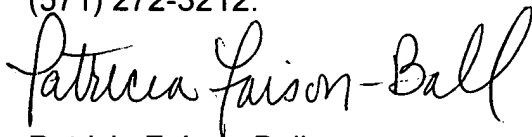
The Office notes that the decision of September 16, 2010, was issued in error. Accordingly, the decision of September 16, 2010, is withdrawn. The present decision supersedes the decision mailed on September 16, 2010.

The Office has determined that the patent term adjustment for the above-identified patent is 1379 days.

The Office will *sua sponte* issue a certificate of correction which supercedes any previously mailed certificates of correction regarding the Patent Term Adjustment. Pursuant to 37 CFR 1.322, the Office will not issue a certificate of correction without first providing assignee or patentee an opportunity to be heard. Accordingly, patentees are given **one (1) month or thirty (30) days**, whichever is longer, from the mail date of this decision to respond. No extensions of time will be granted under § 1.136.

The application is being forwarded to the Certificates of Correction Branch for issuance of a certificate of correction. The Office will issue a certificate of correction indicating that the term of the above-identified patent is extended or adjusted by **one thousand three hundred seventy-nine (1379) days**.

Telephone inquiries specific to this decision should be directed to the undersigned at (571) 272-3212.

A handwritten signature in black ink that reads "Patricia Faison-Ball". The signature is written in a cursive, flowing style.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

Enclosure: Copy of DRAFT Certificate of Correction

DRAFT
UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT : 7,664,601 B2

DATED : February 16, 2010

INVENTOR(S) : Francis W. Daly Jr.

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by (1003) days

Delete the phrase "by 1003 days" and insert – by 1379 days--